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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SARPONG, AKWASI

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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03/23/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/552,997	HARADA ET AL.	
	Examiner	Art Unit	
	AKWASI M. SARPONG	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/28/2009 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 12-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Alam (6336124).

Alam discloses an image processing system, (**fig. 24 Col. 19 lines 60-65 system 2300**) comprising:

an image processing apparatus (Server 2306 in computer system 2302) which reads image data of an original and converts thus read image data into converted image data (**Col. 20 lines 8-12- thus server 2306 receives the original image data and convert it into appropriate intermediate format document-please see Col. 20 lines 24-27**) using a file format which is determined from among plural file formats (**Col. 5**

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lines 26-34- understand the input/output formats can be any of the plurality of formats disclosed in Col. 5 lines 25-34) and which includes an adding unit that adds an imaging processing command to the converted image data **(Col. 20 lines 24-32- thus before the image is converted into the appropriate output format, it is first converted into intermediate format as described in Col. 7 lines 15-16, converting the image data into an intermediate format includes storing a tag in the image document hence the tag is added to the image document)** only when permitted to do so by a judging unit **(Col. 20 lines 24-29, thus before the image is converted into an intermediate format, it is determined whether the image is in a supported format therefore it is judged whether converting the image data is permitted)** and an image receiving apparatus **(Col. 20 lines 8-10-output device such as PDA 2308)** which receives from said image processing apparatus the converted image data and when the image processing command has been added to the converted image data thus received, **(Col. 20 lines 8-12- thus the image data can be displayed only when the image is converted into an output format document- that is when all appropriate conversions are done)** performs upon thus received converted image data an image processing which corresponds to the image processing command thus added **(Col. 20 lines 8-12- thus after the image data is converted it is then transferred to any of the output device such as PDA 2308 for it to display).**

wherein said image processing apparatus further comprises:

a storage unit **(hard drive shown in fig. 2)** which stores information regarding the plural file formats, **(Col. 4 lines 39-42- thus the programs that support the**

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invention which includes the formats such as PDF RTF etc disclosed in Col. 5 lines 25-34 are stored in the hard drive) said information including whether or not said plural file formats permit addition of the image processing command to the converted read image data **(Col. 20 lines 24-32 thus if the input document is not in a supported format then the processor cannot convert it and therefore addition is not permitted)** and

the judging unit **(Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** which judges whether or not the file format of the converted image data has said information in said storage unit that permits addition of the image processing command to the converted read image data,**(inherently if the input document is supported by the computer system 2302 then the hard drive that contains all the programs that support the invention as clearly disclosed in Col. 4 lines 39-42)** since and

said judging unit **(Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** permits addition by said adding unit of the image processing command to the converted read image data permitted only when said judging unit judges that said information in said storage unit permits addition of the image processing command to the converted image data. **(Col. 20 lines 22-27- thus when the input document is in a supported format then the process can go forward for it to be converted into intermediate format and finally into output format. As**

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discussed in Col. 7 lines 15-16 the conversion of the input document includes storing tags into the document in other words adding tags into the input document).

(NB: Col. 20 lines 22-27 and C7 lines 15-16, understand that the input document has to be supported before it can be converted into intermediate format which will involve adding the tag and therefore the input document has to be permitted before the tag can be added)

Claim 13, Alam discloses an image processing apparatus (Server 2306 in computer system 2302) which reads image data of an original and converts thus read image data into converted image data (Col. 20 lines 8-12- thus server 2306 receives the original image data and convert it into appropriate intermediate format document-please see Col. 20 lines 24-27) using a file format which is determined from among plural file formats (Col. 5 lines 26-34- understand the input/output formats can be any of the plurality of formats disclosed in Col. 5 lines 25-34)

and which includes an adding unit that adds an imaging processing command to the converted image data (Col. 20 lines 24-32- thus before the image is converted into the appropriate output format, it is first converted into intermediate format and as described in Col. 7 lines 15-16 converting the image data into an intermediate format includes storing a tag in the image document hence the tag is added to the image document) only when permitted to do so by a judging unit, (Col. 20 lines 24-29, thus before the image is converted into an intermediate format, it

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is determined whether the image is in a supported format therefore it is judged whether converting the image data is permitted) said image processing apparatus further comprising:

a storage unit **(hard drive shown in fig. 2)** which stores information regarding the plural_file formats, **(Col. 4 lines 39-42- thus the programs that support the invention which includes the formats such as PDF RTF etc disclosed in Col. 5 lines 25-34 are stored in the hard drive)** said information including whether or not said plural formats permit addition of the image processing command to the converted image data **(Col. 20 lines 24-32 thus if the input document is not in a supported format then the processor cannot convert it and therefore addition is not permitted)** and

the judging unit **(Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** which judges whether or not the file format of the converted image data has said information in said storage unit that permits addition of the image processing command to the converted read image data, **(inherently if the input document is supported by the computer system 2302 then the hard drive that contains all the programs that support the invention as clearly disclosed in Col. 4 lines 39-42)**

wherein said judging unit **(Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** only permits_addition by said adding unit of the image

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processing command to the converted image data when the judging unit judges that the file format of the converted image has said information in said storage unit that permits addition of the image processing command to the converted image data. **(Col. 20 lines 22-27- thus when the input document is in a supported format then the process can go forward for it to be converted into intermediate format and finally into output format. As discussed in Col. 7 lines 15-16 the conversion of the input document includes storing tags into the document in other words adding tags into the input document).**

(NB: Col. 20 lines 22-27 and C7 lines 15-16, understand that the input document has to be supported before it can be converted into intermediate format which will involve adding the tag and therefore the input document has to be permitted before the tag can be added).

Claim 14, Alam discloses wherein at least one of the file formats which permit addition of the image processing command to the converted image data is PDF (Portable Document Format). **(Col. 5 lines 25-34- thus the list of input and output formats includes PDF)**

Claim 15, Alam discloses that the image processing apparatus further comprising a determining unit **(portion of the server that determines whether the input document is in the supported format)** which determines in accordance with a load condition whether to enable the judging unit **(Col. 20-lines 24-27-portion of the**

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computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system) to operate or to prevent the judging unit from operating to insure that there is no addition of the image processing command to the converted image data regardless of the information in said storage unit. (Col. 20 lines 22-27- thus when the input document is in a supported format then the process can go forward for it to be converted into intermediate format and finally into output format. As discussed in Col. 7 lines 15-16 the conversion of the input document includes storing tags into the document in other words adding tags into the input document).

(NB: Col. 20 lines 22-27 and C7 lines 15-16, understand that the input document has to be supported before it can be converted into intermediate format which will involve adding the tag and therefore the input document has to be permitted before the tag can be added)

Claim 16, Alam discloses further comprising a sending unit which sends the converted image data. **(Col. 20 lines 66-67- thus the converted image data is send by a portion of the server to be displayed on any of the output device)**

Claim 17, Alam discloses wherein at least one of the file-formats which permit addition of the image processing command to the converted image data is a file format in which a destination of the converted image data can execute the image processing

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command. **(Col. 5 lines 35-45- thus the image format has to be supported by the output device before it can be converted and displayed)**

Claim 18, Alam discloses wherein at least one of the file which permit addition of the image processing command to the converted image data is PDF (Portable Document Format). **(Col. 5 lines 25-34- thus the list of input and output formats includes PDF).**

Claim 19, Alam discloses further that the image processing apparatus comprising a determining unit **(Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** which determines in accordance with a load condition, **(load condition means that the determination is based on the type of input/ output format as disclosed in Col. 5 lines 21-35)** whether enable the judging unit to operate or to prevent the judging unit from operating to insure that there is no addition of the image processing command to the converted image data regardless of the information in said storage unit. **(Col. 20 lines 23-32- thus depending on the type of format the image data will either be processed or not) (NB: understand that processing of the image data involves converting the image data to intermediate data which includes the addition of tags as disclosed in Col. 7 lines 15-18).**

Claim 20, Alam discloses wherein said sending unit sends an electronic mail to whole wherein said sending unit sends an electronic mail to which the converted image

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data determined is attached. **(Col. 20 lines 64-67- thus the final converted image data is definitely send electronically because it is a communication between to electronic devices)**

Claim 21, Alam discloses wherein at least one of the file formats which permits addition of the image processing command to the converted image data is a file format in which a destination of the converted image data can execute the image processing command. **(Col. 5 lines 35-45- thus the image format has to be supported by the output device before it can be converted and displayed)**

Claim 22, Alam discloses wherein the at least one of the file formats which permits addition of the image processing command to the converted image data is PDF (Portable Document Format). **(Col. 5 lines 25-34- thus the list of input and output formats includes PDF).**

Claim 23, Alam discloses comprising a determining unit **(Col. 20-lines 24-27- portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** which determines, in accordance with a load condition, **(load condition means that the determination is based on the type of input/ output format as disclosed in Col. 5 lines 21-35)** whether to enable the judging unit to operate or to prevent the judging unit from operating to insure that there is no addition of the image processing command to the

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converted image data regardless of the information in said storage unit. **(Col. 20 lines 23-32- thus depending on the type of format the image data will either be processed or not) (NB: understand that processing of the image data involves converting the image data to intermediate data which includes the addition of tags as disclosed in Col. 7 lines 15-18).**

Claim 24, Alam discloses an image processing apparatus **(Server 2306 in computer system 2302)** which reads image data of an original and converts thus read image data into converted image data **(Col. 20 lines 8-12- thus server 2306 receives the original image data and convert it into appropriate intermediate format document-please see Col. 20 lines 24-27)** using_a file format which is determined from among plural file formats **(Col. 5 lines 26-34- understand the input/output formats can be any of the plurality of formats disclosed in Col. 5 lines 25-34)** and which includes an adding unit that adds an imaging processing command to the converted image data **(Col. 20 lines 24-32- thus before the image is converted into the appropriate output format, it is first converted into intermediate format and as described in Col. 7 lines 15-16 converting the image data into an intermediate format includes storing a tag in the image document hence the tag is added to the image document)** only when permitted to do so by a judging unit, **(Col. 20 lines 24-29, thus before the image is converted into an intermediate format, it is determined whether the image is in a supported format therefore it is judged whether**

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converting the image data is permitted) said image processing apparatus comprising:

a storage unit (**hard drive shown in fig. 2**) which stores information regarding the plural file formats, (**Col. 4 lines 39-42- thus the programs that support the invention which includes the formats such as PDF RTF etc disclosed in Col. 5 lines 25-34 are stored in the hard drive**) said information including whether or not said plural file formats prohibit addition of the image processing command to the read image data (**Col. 20 lines 24-32 thus if the input document is not in a supported format then the processor cannot convert it and therefore addition is not permitted**) and

the judging unit (**Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system**) judges whether or not the file format of the converted image data has said information in said storage unit that prohibits addition of the image processing command to the converted read image data, (**inherently if the input document is supported by the computer system 2302 then the hard drive that contains all the programs that support the invention as clearly disclosed in Col. 4 lines 39-42**

wherein when said judging unit (**Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system**) judges that the file format of the converted image data of has said information in said storage unit regarding that prohibits addition of the image processing command to the converted image data, said judging unit prohibits addition by said adding unit of the image processing command to the read image data.

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(Col. 20 lines 22-27- thus when the input document is in a supported format then the process can go forward for it to be converted into intermediate format and finally into output format. As discussed in Col. 7 lines 15-16 the conversion of the input document includes storing tags into the document in other words adding tags into the input document).

(NB: Col. 20 lines 22-27 and C7 lines 15-16, understand that the input document has to be supported before it can be converted into intermediate format which will involve adding the tag and therefore the input document has to be permitted before the tag can be added)

Claim 25, Alam discloses wherein at least one of the file formats which prohibits addition of the image processing command to the converted image data is TIFF (Tagged Image File Format). **(Col. 5 lines 25-34- thus the list of input and output formats includes tagged image file format (TIFF)).**

Claim 26, Alam discloses an image processing method according to which an image processing apparatus, **(Server 2306 in computer system 2302)** which comprises a controller which performs image processing control including control of said adding unit to permit the adding unit to add an image processing command to converted image data **(Col. 20 lines 8-12- thus server 2306 receives the original image data and convert it into appropriate intermediate format document-please see Col. 20**

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lines 24-27) and control of reading image data of an original and conversion of the_ thus read image data into said converted image data using a file format which is determined from among plural file formats, **(Col. 5 lines 26-34- understand the input/output formats can be any of the plurality of formats disclosed in Col. 5 lines 25-34)** said image processing method comprising steps of:

disposing to said image processing apparatus a storage unit **(hard drive shown in fig. 2)** which stores information regarding a said plural file formats, **(Col. 4 lines 39-42- thus the programs that support the invention which includes the formats such as PDF RTF etc disclosed in Col. 5 lines 25-34 are stored in the hard drive)** said information including whether or not said file formats permit addition of the image processing command to the converted image data **(Col. 20 lines 24-32 thus if the input document is not in a supported format then the processor cannot convert it and therefore addition is not permitted)**

making said controller judge **(Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** whether or not the file format of the converted image data has at least said information in said storage unit that permits addition of the image processing command to the converted image data; **(inherently if the input document is supported by the computer system 2302 then the hard drive that contains all the programs that support the invention as clearly disclosed in Col. 4 lines 39-42)** and

making said controller permit addition by said adding unit of the image processing command to the converted image data only when it is judged that the file format that-of the converted image data has said information in said storage unit that permits addition of the image processing command to the converted image data. **(Col. 20 lines 22-27- thus when the input document is in a supported format then the process can go forward for it to be converted into intermediate format and finally into output format. As discussed in Col. 7 lines 15-16 the conversion of the input document includes storing tags into the document in other words adding tags into the input document).**

(NB: Col. 20 lines 22-27 and C7 lines 15-16, understand that the input document has to be supported before it can be converted into intermediate format which will involve adding the tag and therefore the input document has to be permitted before the tag can be added)

Claim 27, Alam discloses an image processing method according to which an image processing apparatus, **(Server 2306 in computer system 2302)** which comprises a controller which performs image processing control including control of an adding unit to prohibit the adding unit from adding an image processing command to converted image data **(Col. 20 lines 8-12- thus server 2306 receives the original image data and convert it into appropriate intermediate format document-please see Col. 20 lines 24-27)** and control of reading of image data of an original and conversion of the thus read image data into said converted image data using a file

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format which is determined from among plural file formats, **(Col. 5 lines 26-34-**

understand the input/output formats can be any of the plurality of formats

disclosed in Col. 5 lines 25-34) said image processing method comprising steps of:

disposing to said image processing apparatus a storage unit **(hard drive shown in fig. 2)** which stores information regarding said plural_file formats, **(Col. 4 lines 39-42- thus the programs that support the invention which includes the formats such as PDF RTF etc disclosed in Col. 5 lines 25-34 are stored in the hard drive)** said information including whether or not_said file formats prohibit addition of the image processing command to the converted image data **(Col. 20 lines 24-32 thus if the input document is not in a supported format then the processor cannot convert it and therefore addition is not permitted)**

making said controller judge whether or not the file format of the converted image data has said information in said storage unit addition of the image processing command to the converted image data **(inherently if the input document is supported by the computer system 2302 then the hard drive that contains all the programs that support the invention as clearly disclosed in Col. 4 lines 39-42)** and making said controller prohibit addition by said adding unit of the image processing command to the converted image data it is judged that the file format that the image data of the original has been converted into has said information in said storage unit that prohibits addition of the image processing command to the read image data. **(Col. 20 lines 22-27- thus when the input document is in a supported format then the process can go forward for it to be converted into intermediate format and finally**

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into output format. As discussed in Col. 7 lines 15-16 the conversion of the input document includes storing tags into the document in other words adding tags into the input document).

(NB: Col. 20 lines 22-27 and Col. 7 lines 15-16, understand that the input document has to be supported before it can be converted into intermediate format which will involve adding the tag and therefore the input document has to be permitted before the tag can be added)

Response to Arguments

3. Applicant's arguments filed 09/28/2009 have been fully considered but they are not persuasive.

Applicant argues in page 8 of his remarks that the final rejection is improper because examiner in the outstanding office action changes the thrust of the final rejection.

In reply, Examiner respectfully disagrees because the claims filed on 04/08/2009 was amended to change the scope of the claimed invention and therefore the rejection can also be changed.

Regarding the 103 rejection Applicant argues that the cited reference fails to disclose a storage unit, adding unit and judging unit.

As these limitations are claimed as follows:

a storage unit which stores information regarding the plural_file formats, said information including whether or not said plural file formats permit addition of the image processing command to the converted read image data; and

the judging unit which judges whether or not the file format of the converted image data has said information in said storage unit permits addition of the image processing command to the converted read image data,

and which includes an adding unit that adds an imaging processing command to the converted image data only when permitted to do so by a judging unit.

In reply, examiner respectfully disagree because Alam the cited reference clearly disclose a storage unit **(hard drive shown in fig. 2)** which stores information regarding the plural file formats, **(Col. 4 lines 39-42- thus the programs that support the invention which includes the formats such as PDF RTF etc disclosed in Col. 5 lines 25-34 are stored in the hard drive)** said information including whether or not said plural file formats permit addition of the image processing command to the converted read image data **(Col. 20 lines 24-32 thus if the input document is not in a supported format then the processor cannot convert it and therefore addition is not permitted).**

the judging unit **(Col. 20-lines 24-27-portion of the computer system 2303 that determines in step 2508 if the input document is a supported format in the computer system)** which judges whether or not the file format of the converted image data has said information in said storage unit that permits addition of the image processing command to the converted read image data, **(inherently if the input**

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document is supported by the computer system 2302 then the hard drive that contains all the programs that support the invention as clearly disclosed in Col. 4 lines 39-42).

an adding unit that adds an imaging processing command to the converted image data **(Col. 20 lines 24-32- thus before the image is converted into the appropriate output format, it is first converted into intermediate format and as described in Col. 7 lines 15-16 converting the image data into an intermediate format includes storing a tag in the image document hence the tag is added to the image document) only when permitted to do so by a judging unit (Col. 20 lines 24-29, thus before the image is converted into an intermediate format, it is determined whether the image is in a supported format therefore it is judged whether converting the image data is permitted).**

Conclusion

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

03/15/2010
AMS.